

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**INTERVENTIONAL PAIN
CONSULTANTS, LLC &
DR. WYNDEL TODD BUENGER,**

Plaintiffs,

vs.

WALMART INC.,

Defendant.

Case No. 19-CV-535-SMY-RJD

MEMORANDUM AND ORDER

YANDLE, District Judge:

Plaintiffs Interventional Pain Consultants, LLC and Dr. Wyndel Todd Buenger originally filed this tort action against Defendant Walmart Inc. in the Twentieth Judicial Circuit, St. Clair County, Illinois. Walmart removed the case to this Court, asserting diversity jurisdiction pursuant to 28 U.S.C. § 1332 (Doc. 1). Now pending before the Court is the parties' Agreed Motion to Remand (Doc. 9). For the following reasons, the Motion is **GRANTED**.

A civil action may be removed to federal court if the district court has original jurisdiction. 28 U.S.C. § 1441. Courts have original jurisdiction of civil actions if there is complete diversity between the parties and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

In this case, Plaintiffs' have stipulated that they will not seek nor enforce any judgment in excess of \$75,000.00. The parties request that the case be remanded to state court. Given that the amount in controversy is less than the jurisdictional minimum, this Court does not have

subject matter jurisdiction over this case is obligated to **REMAND** it back to the Circuit Court of the Twentieth Judicial Circuit, St. Clair County, Illinois. The Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

DATED: July 18, 2019

A handwritten signature in black ink, reading "Staci M. Yandle", is written over a faint, circular official seal of the United States District Court for the District of St. Clair County, Illinois. The seal features an eagle and the words "UNITED STATES DISTRICT COURT" and "DISTRICT OF ST. CLAIR COUNTY, ILLINOIS".

STACI M. YANDLE
United States District Judge